

AMENDED NON-JUDICIAL CLAIM

"WHEN INJUSTICE BECOMES LAW, THE RESISTENCE BECOMES DUTY"- Th. Jefferson

"THE CONSTITUTION IS THE GUIDE WHICH I WILL NEVER ABANDON"-G. Washington.

"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT TO BUILD A BETTER, STRONGER AMERICA".

"COMMON LAW IS A FOUNTAIN OF JUSTICE, PERENNIAL AND PERPETUAL"-Webster.

"NO ONE IS ABOVE- THE- LAW", "ALL ARE EQUAL UNDER THE LAW".



The United States District Court Southern District of New York

Elena Strujan

Claimant/Plaintiff,

v.

MICHAEL CIOROIU
ALL OTHERS UNLISTED, BOTH KNOWN
And UNKNOWN

WRONGDOERS/DEFENDANTS

DOCKET: 18-CV-7469

**NOTICE OF MOTION FOR
DEFAULT JUDGMENT
(AMENDED NON-JUDICIAL
CLAIM)**

89-1 KU 03 2018 011

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 9/24/18



AMENDED NON-JUDICIAL CLAIM

I, Elena Strujan Claimant, the crime victim, a natural living woman, hereby moves this Court pursuant to **RES IPSA LOQUITUR*** and **MALA IN SE ****, to enter DEFAULT JUDGMENT in favor of Me, the Claimant and against WRONGDOERS/DEFENDANTS **MICHAEL CIOROIU ALL OTHERS UNLISTED, BOTH KNOWN AND UNKNOWN** on the grounds that said **WRONGDOERS/DEFENDANTS** failure to cure and to Rebut with an **Affidavit of Truth as Firsthand Knowledge** at My lawful **"NOTICE OF COMMON LAW, BRIEF INFORMATION, CLAIM OF LIEN OBLIGATION, AFFIDAVIT OF TRUTH AND FACTS"** served on 6/18/2017, as fully appears in My Affirmation in support of this motion.

I say here, and I will verify in open Court if necessary that all herein be true.
I will do My best, and God will do the rest. I Reserve ALL Natural God-Given Birthrights, Waiving None, Ever UCC 1-308, UCC 1-103.6.

Dated: September 22, 2018

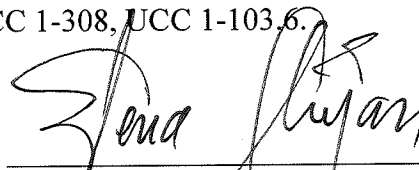
"SUB UMBRA ALARUM TAURUM"

"BENEATH THE SHADOW OF WINGS, O LORD"

"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT
TO BUILD A BETTER, STRONGER AMERICA"

I Women of Flesh and Blood, UCC 1-308, UCC 1-103.6

"OBEY THE CONSTITUTION"



Elena Strujan- Petitioner, a common woman
Sui Juris, Under Duress, Attornatus Privatus.
Member of Constitution First Amendment
Press Association
P. O. Box 20632, New York, N. Y., [10075]
646-234-2421, estrujan2016@gmail.com

Wrote and printed from a Public computer and printer with all risks.

WITNESS: My hand and official seal. End of document.

* Res ipsa loquitur - Wikipedia https://en.wikipedia.org/wiki/Res_ipsa_loquitur

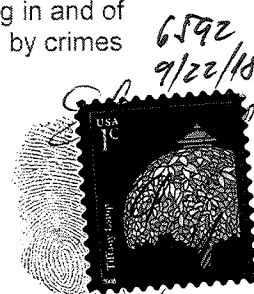
In the common law of torts, **res ipsa loquitur** (Latin for "the thing speaks for itself") is a doctrine that infers negligence from the very nature of an accident or injury in the absence of direct evidence on how any defendant behaved.

Res ipsa loquitur - Legal Dictionary | Law.com <https://dictionary.law.com/Default.aspx?selected=1823>

res ipsa loquitur. (rayz ip-sah loh-quit-her) n. Latin for "the thing speaks for itself," a doctrine of law that one is presumed to be negligent if he/she/it had exclusive control of whatever caused the injury even though there is no specific evidence of an act of negligence, and without negligence the accident would not have ...

** Mala In Se - Criminal Law Crime Classifications | LectLaw.com(<https://www.lectlaw.com/mjl/cl018.htm>)

Mala in se (the singular is malum in **se**) is a term that signifies crime that is considered wrong in and of itself. The phrase is Latin and literally means wrong in itself. This class of crime is contrasted by crimes **mala prohibita**, the Latin term for "wrong because they are prohibited."



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The United States District Court Southern District of New York

Elena Strujan X
Claimant/Plaintiff,

v.
MICHAEL CIOROIU
ALL OTHERS UNLISTED, BOTH KNOWN
AND UNKNOWN.

WRONGDOERS/DEFENDANTS X

I, Elena Strujan, Claimant, a common woman, Sui Juris, Under Duress, Attornatus Privatus hereby declares as follows:

DOCKET: 18-CV-7469

AFFIRMATION IN SOPPORT
OF MOTION FOR DEFAULT
(AMENDED NON-
JUDICIAL CLAIM)



AMENDED NON-JUDICIAL CLAIM

1. I am the Claimant in this action and a crime victim.
2. This action was commenced pursuant to the rights guaranteed by the NYS and the USA Constitution.
3. In 1999 or 2000 WORONGDOER/RESPONDENT MICHAEL CIOROIU performed surgery to Me regarding My external hemorrhoids.
4. Many times I required a copy of My medical report done by him and I was refused. He refused also My lawful Notice of Common Law.
5. On September 14, 2018 I send to **THE WORONGDOER/RESPONDENT MICHAEL CIOROIU and ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** a fax (See **EXHIBIT Pg.**) and two text messages at his two different medical offices where I required information requested by Judge's Order on August 28, 2018.
6. **THE WORONGDOER/RESPONDENT MICHAEL CIOROIU ignored to answer each time.**
7. With trespass, Abusive, Unlawfully, with Malpractice and High Greed for money **DEFENDANT MICHAEL CIOROIU and ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** at this time, cut My anal visceral muscles and reduced the diameter of My anal orifice as a kid two (2) years old. Not only to Me.
8. He did it in purpose, secretly, without My consent to be his client for life for anal dilatation.
9. I served the **WRONGDOER/DEFENDANT MICHAEL CIOROIU** firsthand knowledge with My lawful **"NOTICE OF COMMON LAW, BRIEF INFORMATION, CLAIM OF LIEN OBLIGATION, AFFIDAVIT OF TRUTH AND FACTS"** (See **EXHIBIT Pg.**).
10. **The WRONGDOERS /DEFENDANTS MICHAEL CIOROIU and ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN**, with guilty knowledge, refused to rebut My lawful Notice of Common Law as firsthand knowledge with affidavit **and under penalty of perjury** in 30 days' time frame. *"He who does not deny, admits". "An un-rebutted affidavit is the judgment in commerce. "Silence can only be equated with fraud where there is a legal or moral duty to speak or when an inquiry left unanswered would be intentionally misleading." U.S.v. Twee!, 550 F.2d 297(1977).*
11. The **WRONGDOERS/DEFENDANTS MICHAEL CIOROIU ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** had three choices:
 - 1) to answer with a rebuttal affidavit;
 - 2) to pay or to settle the case;



AMENDED NON-JUDICIAL CLAIM

3) to sue Me in a Court of record.

12. The time for **WRONGDOERS/DEFENDANTS MICHAEL CIOROIU ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** to answer or otherwise move with respect to the complaint herein has expired.
13. After a while, and after the lawful time expired the counselor of the **WRONGDOERS/DEFENDANTS MICHAEL CIOROIU and ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** contacted Me confirming DEFENDANT CIOROIU receive d My Notice, and asking Me more about Common Law.
14. I refused to communicate with the lawyer since he is not firsthand knowledge.
15. The **WRONGDOERS/DEFENDANTS MICHAEL CIOROIU and ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** are not infants or incompetents.
16. The **WRONGDOERS /DEFENDANT S MICHAEL CIOROIU and ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** are not presently in the military service of the United States as appears from facts in this claim.
17. **The WRONGDOERS/DEFENDANTS MICHAEL CIOROIU and ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** refused to cure the damages, the incommensurable and unimaginable harm produced with his intentional and unlawfully trespass (scars for life) to me a natural common woman.
18. **My lawful Notice of Common Law being Common Law construct, the only way this Lien can be removed is:**
 - a) By a Rebuttal Affidavit done by the firsthand knowledge.
 - b) By Full Payment as I require in which case I will remove it.
 - c) The decision of the Jury of 12, deciding that the Lien should not have been executed. This involved the **WRONGDOERS /DEFENDANTS** as firsthand knowledge to take Me to the Court de Jure (Common Law Court). Time pass out already.
19. Because is a Common Law not a Statutory process *do not under any circumstances, assume that any judge can remove a lien. A judge cannot do that, and judges know that* (because is a Common Law not a Statutory, process).
20. My Statement of Truth, reflected the truth of My status and which will not only became *the truth, in law-* but will also become *A JUDGMENT, IN LAW.*



AMENDED NON-JUDICIAL CLAIM

21. That being the case, no hearing will require. *Because the judgment has already been made by the truth* (That's Common Law).
22. A failure to respond attested and confirmed, the truth of all points contained herein and those points shall stand as the truth in law as regards My living soul.
23. The **WRONGDOERS/DEFENDANTS MICHAEL CIOROIU ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** are indebted to Me in conformity with My "**NOTICE OF COMMON LAW, BRIEF INFORMATION, CLAIM OF LIEN OBLIGATION, AFFIDAVIT OF TRUTH AND FACTS**" as: **MICHEL CIOROIU ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** a total of \$ 500, 000, 000.00 (fivehundredsmillions) in hundred.

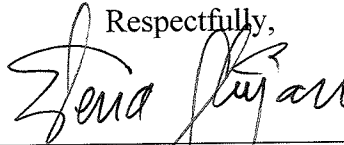
WHEREFORE, Claimant Elena Strujan, a common woman, Sui Juris, Attornatus Privatus, request that the Default of **WRONGDOERS/DEFENDANTS MICHAEL CIOROIU ALL OTHERS UNLISTED, BOTH KNOWN OR UNKNOWN** at this time, be noted and an Order for CERTIFICATE OF DEFAULT ISSUED.

I, Elena Strujan , a natural living woman, pursuant to 28 U.S.C. § 1746, under penalty of perjury declare that I personally created the foregoing pleading and that information herein is true and correct to the best of My knowledge information and belief, that the amount claimed as due to Me is justify , is commercial reasonable, just , correct and that no part thereof has been paid.

I say here, and I will verify in open Court if necessary that all herein be true.
I will do My best, and God will do the rest. I Reserve ALL Natural God-Given Indefeasible Birthrights, Waiving None, Ever UCC1-308, UCC 1-103.6.

"If I to remain silent, I'll be guilty of complicity." Albert Einstein

Respectfully,



Dated: September 22, 2018

"SUB UMBRA ALARUM TAURUM"

"BENEATH THE SHADOW OF WINGS, O LORD"

"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT TO BUILD A BETTER, STRONGER AMERICA"

I Women of Flesh and Blood, UCC 1-308, UCC 1-103.6

"OBEY THE CONSTITUTION"

Elena Strujan- Petitioner, a common woman
Sui Juris, Under Duress, Attornatus Privatus.
P. O. Box 20632, New York, N. Y., [10075]
646-234-2421, estrujan2016@gmail.com

In attachment My Lawful "NOTICE OF COMMON LAW, BRIEF INFORMATION, CLAIM OF LIEN OBLIGATION, AFFIDAVIT OF TRUTH AND FACTS", and Copy of My fax sent to DEFENDANT CIOROIU. Wrote and printed from a Public computer and printer with all risks.

WITNESS: My hand and official seal. Each page is stamped on the back in wet ink and signed.
End of document.



7017 1000 0001 0129 6285

**NOTICE OF COMMON LAW, BRIEF INFORMATION
CLAIM OF LIEN OBLIGATION, AFFIDAVIT OF TRUTH AND FACTS**

Party/Grievant/Crime Victim/Accuser/Lienor : Elena Strujan, a.k.a: Elena Chitoiu; a natural woman, Sui Juris, Under Duress ,
P. O. Box 20632, New York, New York, 10075
646-234-2421, estrujan2016@gmail.com
6/16/2017

RESPONDENT/LIENEES/ACCUSED
MICHAEL CIOROIU – A PERSON, Michal Cioroiu - a man.
AND ALL OTHERS UNLISTED, BOTH KNOWN AND UNKNOWN

AFFIDAVIT OF TRUTH AND FACTS

I Elena Strujan , a.k.a: Elena Chitoiu; a natural woman, aggrieved, wronged, harmed, abused, Sui Juris, Under Duress said under oath that the facts stated herein are correct, true, complete, not misleading, admissible as evidence and signed under penalty of perjury.

This NOTICE is hereby given that failure or refusal to contest the present AFFIDAVIT OF TRUTH AND FACTS within thirty (30) days all My point –by –point basis shall be an admission that the points and facts listed below are settled facts and shall create the legal presumption that your constructive silence is to conceal incriminating evidence. A failure to contest the facts below under an AFFIDAVIT OF TRUTH AND FACTS, under SWORN OATH by the firsthand knowledge, and under Penalty of Perjury addressing each and every point Means agree with the un-addressed facts and points as set forth and with the obligations described.

IMPORTANT MENTION AT NOTICE

Received of this AFFIDAVIT OF TRUTH AND FACTS wants a response as required above. Acquiescence will be your answer to all above statements if you fail or refuse to send Me a written response in a custom of a rebuttal. Simply denial of the facts below is not enough to rebut the points and facts outlined below. Written evidence and sworn testimony are obligatory to rebut each and every point denied. *“All Men and woman know that the foundation of the law and commerce exists in the telling of the truth, the whole truth, and nothing but the truth. Truth, as a valid statement of reality, is sovereign in commerce”*.

The Commercial Affidavits, Commercial Contracts, Commercial Liens and Commercial Distress are all corporate government. Later government cannot exercise the power to expunge commercial process.

Acquiescence = “A person *noun* **acquiescence**; the reluctant acceptance of something without protest”, “ *the act or condition of acquiescing or giving tacit assent; agreement or consent by silence or without objection: compliance* “[Google].

“An Affidavit if not contested in a timely manner is considered undisputed facts as a matter of law” – [Morris v. NCR, 44 SW2d 433]. *“Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading”*- [U.S. v Pruden, 424 F.2d 1021(1970)].



NOTICE OF LIEN – MICHAEL CIOROIU

"DUE PROCESS: *"No person shall... be deprived of life, liberty, or property without 'due process of law'; [5th Amendment] a similar provision exists in all the state constitutions; the phrases 'due course of law' and the 'law of the land' are sometimes used; but, all three of these phrases have the same Meaning; and, that applies conformity with the ancient and customary laws of the English people or laws indicated by parliament..." Davidson v. New Orleans 96 U.S. 97, 24, L Ed 616.*

"'Due course of law' is a phrase synonymous with 'due process of law' or 'law of the land' and Means law in its regular course of administration through courts of justice." Kansas Pac. Ry. Co. v. Dun Meyer 19 KAN 542.

"Law in its regular course of administration through courts of justice is due process." Leeper v. Texas, 139, U.S. 462, II SUP CT. 577, 35 L ED 225.

"Due process of law and the equal protection of the laws are secured if the laws operate on all alike and do not subject the individual to an arbitrary exercise of the powers of government." Duncan v. Missouri, 152, U.S. 382, 14 SUP. CT. 570, 38 L. ED. 485.

CONCLUSION: All rights are protected by due process which is the restraint upon government. It is the duty of the Constitutional Law Enforcement Officer, a/k/a Sheriff or U.S. Marshal, to arrest the officers acting under color of law; and, to seek an indictment. Failure to do so is felony rescue.

MAXIMS OF COMMERCIAL LAW

1. *"We must give up wrongs, not rights, for a better society".* William Pitt of the British House of commons once proclaimed *"Necessity is the plea for every infringement of human liberty; it is the argument of tyrants; it is the creed of slaves"*.
2. *"An un rebutted affidavit stands as truth in commerce"*.
3. *"When injustice becomes law, the resistance becomes duty"*- Th. Jefferson.
4. *"When the people acting in the name of government violate ethics, they break trust with*
5. *"All workman is worthy of his hire"*.
6. *"It is against equity for freeman not having the free disposal of their own property"*.
7. *"Lex malla, lex nulla. A bad law is no law."* Cassandra Clare, Lady Midnight.
8. *"No one is above- the -law"*.
9. *"Truth is expressed in the form of an affidavit"*- in commerce an affidavit is the base for any commercial transaction.
10. *"He who does deny, admits"*.
11. *"A un- rebutted affidavit is the judgment in commerce. There is nothing to resolve. Any proceedings in a court, tribunal, or arbitration forum consists of a consent, or duel, of commercial affidavits wherein the points remaining un -rebutted in the end stand as the facts to which a judgment is applied"*.
12. In Commerce, for all problems to be resolved it must to be asked. Legal Maxim *"He who fails to assert his rights, has none"*.
13. *"He who does not repeal a wrong when he can, occasions it". "*
14. *"A rebutted affidavit is a battlefield first loses by default"*.
15. *"A lien or claim can be satisfied only by sworn Affidavits which rebut each point or by resolution of a jury, or by payment. In commerce, a lien or claim can be satisfied by:*
(a) *"A sworn Affidavit"*, (b) *Resolution by a common law jury summoned by a Sharif, based on the Seventh Amendment, for dispute over \$20.00, (c) Agreement and payment"*
16. *"If the plaintiff does not prove his case, the defendant is absolved"*.
17. *"Courts are for the people to command the power of the State"*.

NOTICE OF LIEN – MICHAEL CIOROIU



PLAIN STATEMENT OF FACTS

1. FACT: I, Elena Strujan, a natural living woman, I am a victim of trespasses done by Dr. MICHAEL CIOROIU.
2. FACT: I, Elena Strujan, a natural living woman, I was very ill due some external hemorrhoids.
3. FACT: On 1999 or 2000 MICHAEL CIOROIU performed surgery to Me regarding My external hemorrhoids.
4. FACT: With Trespass, Abusive, Unlawfully, with Malpractice, and with high greed for money MICHAEL CIOROIU cut My anal visceral muscles and reduced the diameter of My anal orifice.
5. FACT: When I came at first and last visit after surgery in MICHAEL CIOROIU's office he told me *"you will be my client from now every month because you have to come at dilatation. You have Oxford Insurances very good for me"*. I was paralyzed!
6. FACT: Initially, I considered as a normal reaction after surgery. Later I understood MICHAEL CIOROIU affirmations and his happiness. Later, a Romanian patient of MICHAEL CIOROIU told Me you did the same to him.
7. FACT: My entire pain and suffering post-surgery was due to MICHAEL CIOROIU GROSS TRESPASS.
8. I was dying. A nurse called and she put me to talk ~~you~~ ^{to} MICHAEL CIOROIU (en).
9. FACT: You, MICHAEL CIOROIU asked Me to send My daughter with the taxi to give her for Me Percocet to ameliorate My terrible pain was due to your criminal acts.
10. FACT: Working at Endoscopy unit for years a saw many patients coming for dilatation which is a very painful procedure.
11. FACT: For years every day I had and have to support the pain due to MICHAEL CIOROIU criminal acts by having an adult body and an anus as a kid.
12. FACT: In a Court of Record under Common Law Jurisdiction is not any statute of limitation.

FOR THIS:

1. I have intention to open a criminal case against MICHAEL CIOROIU.

Because Justice was not served yet, the named MICHAEL CIOROIU as **RESPONDENT /LIENEES/ACCUSED**, have thirty (30) days from the date of service of this Affidavit to compensate Elena Strujan in full fivehundredmillionsdollars (\$ 500, 000, 000.00), in hundreds, or provide SWORN AFFIDAVITS and evidence to rebut the above statements of fact or to cure by providing Elena Strujan with:

1. COPY OF ALL LETTERS EMAILS sent to you regarding trespasses done by you to Me.
2. COPY WITH YOUR ANSWERS at My many letters (faxes) sent to YOU.
3. COPIES of your medical reports.
4. WRITTEN STATEMENTS why you cut My anus.
5. WRITTEN STATEMENT WHY YOU PRACTICE UNLAWFUL ACTS.

NOTICE OF LIEN – MICHAEL CIOROIU



6. WRITTEN STATEMENT WHY YOU prescribed Me PERCOSET.
7. WRITTEN STATEMENTS WHY YOU IGNORED MY CONSTITUTIONAL RIGHTS and discriminate Me under color of law.

I say here, and I will verify in open Court if necessary that all herein be true.
I will do My best, and God will do the rest. All Rights Reserved. None

waived.

New York, New York
Dated: June 16, 2017.
18 (Eg)

Elena Strujan- Petitioner, a natural living woman
Sui Juris, Under Duress
Member of Constitution First Amendment Press
Association.

NOTARY

New York State, New York County on this 18 day of June 2017
2017 before Me, personally appeared Elena Strujan to Me known to be the living woman describe
in and who executed the forgoing instrument and sworn before Me that I executed the same as her
free will act and deed.

DU MEI CEN
Notary Public - State of New York
NO. 01CE6301617
Qualified in Queens County
My Commission Expires Apr 21, 2018

NOTICE OF LIEN – MICHAEL CIOROIU



Fax Cioroiu 718 274 6945

"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT TO BUILD A BETTER, STRONGER AMERICA".

"NO ONE IS ABOVE- THE- LAW", "ALL ARE EQUAL UNDER THE LAW".



FAX
SENT
TO
WRONG
Cioroiu
(ES)

"SUB UMBRA ALARUM TAURUM"

"BENEATH THE SHADOW OF WINGS, O LORD"

**"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT
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I Women of Flesh and Blood, UCC 1-308, UCC 1-103.6

"OBEY THE CONSTITUTION"

Elena Strujan- Petitioner, a common woman
Sui Juris, Under Duress, Attornatus Privatus.

P. O. Box 20632

New York, N.Y., [10075]

646-234-2421, estruajn2016@gmail.com

9/14/2018

Michal Cioroiu MD
247 3rd Avenue, #L3
New York, NY 10010

Requested to
compel!
(E9)
1 of 2



Re: Jocket # 18 @V 0769 LLS

DEFENDANT CIOROIU

The judge order require to amend My Non-Judicial Claim. Please provide all information required by judge from a to ~~as~~ f as best which you know. Always you refused to cooperate herein. This is contempt of court. (Exhibit Pg. 6,5 from Order).

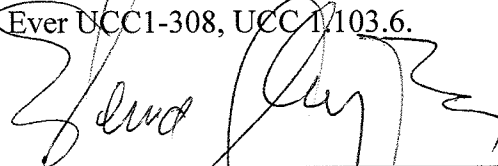
I sent you test messaged at bot office and you did not answer. Please provide By email above or by text message in 24 hours.

I say here, and I will verify in open Court if necessary that all herein be true.

I will do My best, and God will do the rest. I Reserve all-Natural God-Given Indefeasible Birthrights, Waiving None, Ever UCC1-308, UCC 1-103.6.

Dated:

9/14/18



Elena Strujan- Petitioner, a common woman
Sui Juris, Under Duress, Attornatus Privatus.

Wrote and printed from a Public computer and printer with all risks.

WITNESS: My hand and official seal. My word is My bond. End of document.

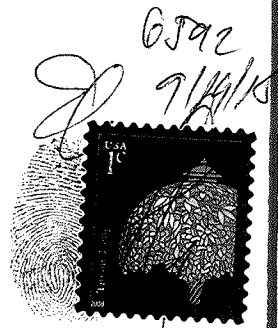
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Plaintiff appears to suggest that because her claims arise under the common law, there is no applicable limitations period. (*See* Compl. at 5.) Plaintiff is mistaken. Plaintiff provides no facts suggesting that the applicable limitations period for her claims should be tolled. Thus, Plaintiff's claims appear to be time-barred. If Plaintiff chooses to submit an amended complaint, she should, in addition to demonstrating that the Court may exercise subject matter jurisdiction over this action, provide facts suggesting that her claims are timely or that tolling of the limitations period is appropriate.

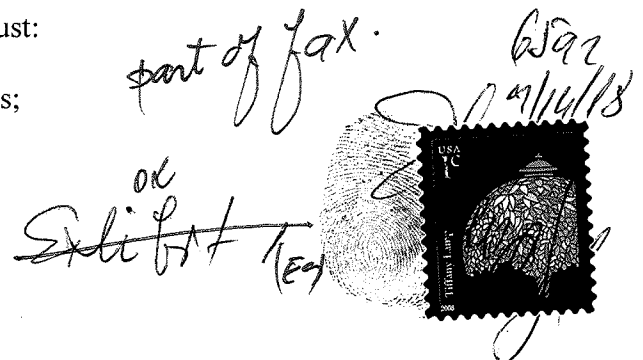
LEAVE TO AMEND

Plaintiff proceeds in this matter without the benefit of an attorney. Even where a complaint suffers from fatal deficiencies, district courts generally should grant a self-represented plaintiff an opportunity to amend his or her complaint to cure its defects, unless amendment would be futile. *See Hill v. Curcione*, 657 F.3d 116, 123-24 (2d Cir. 2011); *Salahuddin v. Cuomo*, 861 F.2d 40, 42 (2d Cir. 1988). Indeed, the Second Circuit has cautioned that district courts "should not dismiss [a *pro se* complaint] without granting leave to amend at least once when a liberal reading of the complaint gives any indication that a valid claim might be stated." *Cuoco v. Moritsugu*, 222 F.3d 99, 112 (2d Cir. 2000) (quoting *Gomez v. USAA Fed. Sav. Bank*, 171 F.3d 794, 795 (2d Cir. 1999)).

The Court, in an abundance of caution, grants Plaintiff leave to amend her complaint to detail her claims. In the statement of claim, Plaintiff must provide a short and plain statement of the relevant facts supporting each claim against each defendant named in the amended complaint. Plaintiff is also directed to provide the addresses for any named defendants. To the greatest extent possible, Plaintiff's amended complaint must:

- a) give the names and titles of all relevant persons;

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"OBEY THE CONSTITUTION"



- b) describe all relevant events, stating the facts that support Plaintiff's case including what each defendant did or failed to do;
- c) give the dates and times of each relevant event or, if not known, the approximate date and time of each relevant event;
- d) give the location where each relevant event occurred;
- e) describe how each defendant's acts or omissions violated Plaintiff's rights and describe the injuries Plaintiff suffered; and
- f) state what relief Plaintiff seeks from the Court, such as money damages, injunctive relief, or declaratory relief.

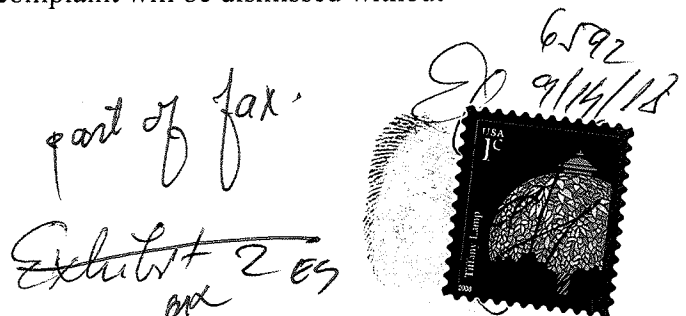
Essentially, the body of Plaintiff's amended complaint must tell the Court: who violated her federally protected rights; what facts show that her federally protected rights were violated; when such violation occurred; where such violation occurred; and why Plaintiff is entitled to relief. Because Plaintiff's amended complaint will completely replace, not supplement, the original complaint, any facts or claims that Plaintiff wishes to maintain must be included in the amended complaint.

CONCLUSION

The Clerk of Court is directed to assign this matter to my docket, mail a copy of this order to Plaintiff, and note service on the docket. Plaintiff is granted leave to file an amended complaint that complies with the standards set forth above. Plaintiff must submit the amended complaint to this Court's Pro Se Intake Unit within 60 days of the date of this order, caption the document as an "Amended Complaint," and label the document with docket number 18-CV-7469 (LLS). An Amended Complaint form is attached to this order.

No summons will issue at this time. If Plaintiff fails to comply within the time allowed and cannot show good cause to excuse such failure, the complaint will be dismissed without prejudice for lack of subject matter jurisdiction.

"SUB UMBRA ALARUM TAURUM"
"BENEATH THE SHADOW OF WINGS, O LORD"
"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT
TO BUILD A BETTER, STRONGER AMERICA"
I Women of Flesh and Blood, UCC 1-308, UCC 1-103.6
"OBEY THE CONSTITUTION"



NON-JUDICIAL CLAIM

"WHEN INJUSTICE BECOMES LAW, THE RESISTENCE BECOMES DUTY"- Th. Jefferson
"THE CONSTITUTION IS THE GUIDE WHICH I WILL NEVER ABANDON"-G. Washington.
"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT TO BUILD A BETTER, STRONGER AMERICA".
"COMMON LAW IS A FOUNTAIN OF JUSTICE, PERENNIAL AND PERPETUAL"-Webster
"NO ONE IS ABOVE- THE- LAW", "ALL ARE EQUAL UNDER THE LAW".



The United States District Court Southern District of New York

Elena Strujan
Plaintiff,

v.

MICHAEL CIOROIU
ALL OTHERS UNLISTED, BOTH KNOWN
AND UNKNOWN.

WRONGDOERS/DEFENDANTS

TO: **CHIEF DEPUTY CLERK RUBY J. KRAJICK**

DOCKET: 18 cv 7469

**REQUEST FOR CERTIFICATE
OF DEFAULT**



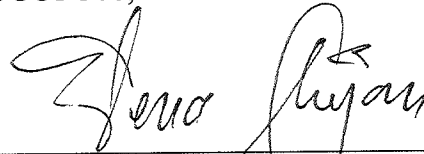
NON-JUDICIAL CLAIM

UNITED STATES DISTRICT COURT- SOUTHERN DISTRICT DISTRICT
COURT OF NEW YORK

Please enter the default of WRONGDOERS/ DEFENDANTS **MICHAEL CIOROIU**
and **ALL OTHERS UNLISTED, BOTH KNOWN and UNKNOWN** pursuant to **Res Ipsa**
Loquitur* and **Mala in se ****, for failure to cure and to rebut with an Affidavit of Truth as
Firsthand knowledge at My lawful "**NOTICE OF COMMON LAW, BRIEF INFORMATION,**
CLAIM OF LIEN OBLIGATION, AFFIDAVIT OF TRUTH AND FACTS" as fully appears
from the Court file herein and from attached affirmation.

I say here, and I will verify in open Court if necessary that all herein be true.
I will do My best, and God will do the rest. I Reserve ALL Natural God-Given
Birthrights, Waiving None, Ever UCC1-308, UCC 1.103.6.

Dated: Sepyember 22, 2018



Elena Strujan- Petitioner, a common woman
Sui Juris, Under Duress, Attornatus Privatus.
P. O. Box 20632, New York, N. Y., [10075]
646-234-2421, estrujan2016@gmail.com

"SUB UMBRA ALARUM TAURUM"

"BENEATH THE SHADOW OF WINGS, O LORD"

"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT
TO BUILD A BETTER, STRONGER AMERICA"

I Women of Flesh and Blood, UCC 1-308, UCC 1-103.6

"OBEY THE CONSTITUTION"

Wrote and printed from a Public computer and printer with all risks.
WITNESS: My hand and official seal. End of document.

* Res ipsa loquitur - Wikipedia https://en.wikipedia.org/wiki/Res_ipsa_loquitur

In the common law of torts, **res ipsa loquitur** (Latin for "the thing speaks for itself") is a doctrine that infers negligence from the very nature of an accident or injury in the absence of direct evidence on how any defendant behaved.

Res ipsa loquitur - Legal Dictionary | Law.com <https://dictionary.law.com/Default.aspx?selected=1823>
res ipsa loquitur. (rayz ip-sah loh-quit-her) n. Latin for "the thing speaks for itself," a doctrine of law that one is presumed to be negligent if he/she/it had exclusive control of whatever caused the injury even though there is no specific evidence of an act of negligence, and without negligence the accident would not have ...

** Mala In Se - Criminal Law Crime Classifications | LectLaw.com(<https://www.lectlaw.com/mjl/cl018.htm>)

Mala in se (the singular is malum in se) is a term that signifies crime that is considered wrong in and of itself. The phrase is Latin and literally means wrong in itself. This class of crime is contrasted by crimes mala prohibita, the Latin term for "wrong because they are prohibited."



NON-JUDICIAL CLAIM

"WHEN INJUSTICE BECOMES LAW, THE RESISTENCE BECOMES DUTY"- Th. Jefferson
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The United States District Court Southern District of New York

Elena Strujan
Plaintiff,

v.

MICHAEL CIOROIU
ALL OTHERS UNLISTED, BOTH KNOWN
AND UNKNOWN.

WRONGDOERS/DEFENDANTS

DOCKET: 18 cv 7469

**CERTIFICATE OF
DEFAULT**

S.D. OF N.Y.

NON-JUDICIAL CLAIM

I, **RUBY J. KRAJICK- CLERK OF COURT OF THE UNITED STATES**

DISTRICT COURT- SOUTHERN DISTRICT OF NEW YORK, do hereby certify that the
WRONGDOERS/DEFENDANTS **MICHAEL CIOROIU and OTHERS UNLISTED,**
BOTH KNOWN AND UNKNOWN has not filed an Rebuttal Affidavit, an answer or otherwise
moved with respect to the Claimant Elena Strujan lawful ***"NOTICE OF COMMON LAW,***
BRIEF INFORMATION, CLAIM OF LIEN OBLIGATION, AFFIDAVIT OF TRUTH AND
FACTS" to the complaint herein. The default of WRONGDOERS/DEFENDANTS in amount
of \$ 500, 000, 000.00 (fivehundredsmilliondollars), in hundred is hereby noted pursuant to **Res**
Ipsa Loquitur and Mala in se.

Dated: New York

RUBY J. KRAJICK, Clerk of Court

_____ day of _____ 2018

By: _____

Deputy Clerk

AMENDED NON-JUDICIAL CLAIM

"WHEN INJUSTICE BECOMES LAW, THE RESISTENCE BECOMES DUTY"- Th. Jefferson
"THE CONSTITUTION IS THE GUIDE WHICH I WILL NEVER ABANDON"-G. Washington.
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The United States District Court Southern District of New York

Elena Strujan

Claimant/Plaintiff,

v.

MICHAEL CIOROIU

ALL OTHERS UNLISTED, BOTH KNOWN
And UNKNOWN

WRONGDOERS/DEFENDANTS

X

X

DOCKET: 18-CV-7469

PROPOSED ORDER OF
DEFAULT JUDGMENT
(AMENDED NON-JUDICIAL
CLAIM)

SEP 24 2018

RECEIVED
CLERK OF COURT

AMENDED NON-JUDICIAL CLAIM

The Claimant Elena Strujan served her "**NOTICE OF COMMON LAW, BRIEF INFORMATION, CLAIM LIEN, OBLIGATION, AFFIDAVIT OF TRUTH AND FACTS, and CLAIM IN COMMERCE FOR DAMAGES**" on June 18, 2017 to the **WRONGDOERS/DEFENDANT MICHAEL CIOROIU and ALL OTHERS UNLISTED, BOTH KNOWN AND UNKNOWN** and was received. The **WRONGDOERS/DEFENDANTS** having failed to answer with a **REBUTTAL AFFIDAVIT**, to plead or otherwise defend in this **NON-JUDICIAL CLAIM** and said that, pursuant the **RES IPSA LOQUITUR** doctrine and **MALA IN SE** under **COMMON LAW JURISDICTION**, the Claimant's Elena Strujan Motion for Default Judgment against **MICHAEL CIOROIU and ALL OTHERS UNLISTED, BOTH KNOWN AND UNKNOWN** it is hereby **ORDERED, ADJUDGED and DECREED** that, the Claimant, does recover of \$ 500, 000, 000.00 (fivehundredsmilliomsdollars) in hundreds, in effect on the date of this judgment; and, that the Claimant have execution therefore under **RES IPSA LOQUITUR** doctrine and **MALA IN SE**.

DONE this the ____th day of _____, 2018.

MAGISTRATE,

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMENDED NON-JUDICIAL CLAIM

"WHEN INJUSTICE BECOMES LAW, THE RESISTENCE BECOMES DUTY"- Th. Jefferson
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The United States District Court Southern District of New York

Elena Strujan

Claimant/Plaintiff,

v.

MICHAEL CIOROIU

ALL OTHERS UNLISTED, BOTH KNOWN
And UNKNOWN

WRONGDOERS/DEFENDANTS

DOCKET: 18-CV-7469

ENTRY ORDER OF
DEFAULT JUDGMENT
(AMENDED NON-
JUDICIAL CLAIM)

ES:1 WD 11/13/18 10:02

AMENDED NON-JUDICIAL CLAIM

ENTRY ORDER OF DEFAULT JUDGMENT

Claimant Elena Strujan, a natural woman, a victim crime, require the Clerk of the Court enter Default against **MICHEAL CIOROU and ALL OTHERS UNLISTED, BOTH KNOWN AND UNKNOWN** et all under **RES IPSA LOQUITUR** and **MALA IN SE** doctrine and Common Law Jurisdiction.

The order is filed for record.

Dated this _____ day of _____, 2018

CLERK OF THE COURT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMENDED NON-JUDICIAL CLAIM

"WHEN INJUSTICE BECOMES LAW, THE RESISTENCE BECOMES DUTY"- Th. Jefferson
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The United States District Court Southern District of New York

Elena Strujan

Claimant/ Plaintiff,

v.

MICHAEL CIOROIU

ALL OTHERS UNLISTED, BOTH KNOWN
UNKNOWN
WRONGDOERS/DEFENDANTS

X

1 of 2

By Elena ; of the family Strujan Claimant/ Plaintiff FILE ON DEMAND

DOCKET: 18-cv 7469

FILE ON DEMAND OF
CERTIFICATE
FOR DEFAULT JUDGMENT



AMENDED NON-JUDICIAL CLAIM

COMES NOW *Elena Strujan, a living woman*, A NATURAL CITIZEN OF THE REPUBLIC, LIVING IN THE REPUBLIC OF NEW YORK, TO DEMAND that the clerk perform only a ministerial function, that the clerk not perform any tribunal functions, and that the Clerk file the attached true paper in response to the above case.

USC 18 §2076 - Clerk is to file: Whoever, being a clerk willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both.

USC 18§2071 - Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, documents filed or deposited with any clerk or officer of any court, shall be fined or imprisoned not more than three years, or both.

18 USC §1512b - Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to - (1) influence, delay, or prevent ... an official proceeding; (2) cause or induce any person to - (a) withhold ... a document, or other object, from an official proceeding; (b) alter, destroy, mutilate, or conceal an official proceeding; ... shall be fined under this title or imprisoned not more than 20 years, or both.

N.Y. Penal Code §195.00, official misconduct by knowingly ... failing to perform duties, which act, or failure to act, is designated an act of Official Misconduct and is a Class A misdemeanor

N.Y. Penal Code §195.05, obstructing governmental administration in the second degree by intentionally obstructing, impairing or perverting the administration of law, government function of performance of official function by intimidation, force, interference or unlawful act, which act, or failure to act, is designated an act of Official Misconduct and is a Class A misdemeanor.

I say here, and I will verify in open Court if necessary that all herein be true.

I will do my best, and God will do the rest.

All Rights Reserved Under UCC1-308. None waived.

Dated: 9/22/ 2018

By: 

"SUB UMBRA ALARUM TAURUM"

"BENEATH THE SHADOW OF WINGS, O LORD"

**"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT
TO BUILD A BETTER, STRONGER AMERICA"**

I Women of Flesh and Blood, UCC 1-308, UCC 1-103.6

"OBEY THE CONSTITUTION"

Elena Strujan- Claimant a natural woman
Sui Juris, Under Duress, Attornatus Privatus.
P. O. Box 20632, New York, N. Y., [10075]
646-234-2421, estrujan2016@gmail.com



AMENDED NON-JUDICIAL CLAIM

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The United States District Court Southern District of New York

Elena Strujan

Plaintiff,

v.

MICHAEL CIOROIU

ALL OTHERS UNLISTED, BOTH KNOWN
UNKNOWN

WRONGDOERS/DEFENDANTS

DOCKET: 18-cv-7469

CERTIFICATE OF SERVICE

1 of 2

By Elena ; of the family Strujan Claimant/ Plaintiff CERTIFICATE OF SERVICE



AMENDED NON-JUDICIAL CLAIM

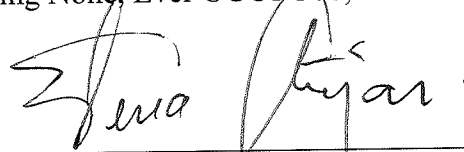
I, Elena Strujan, Claimant, a common woman, Sui Juris, Under Duress, Attornatus Privatus, pursuant to 28 U.S.C. § 1746, under penalty of perjury declare that on 9/22/18 I served a copy of the attached

- 1- Notice of Motion,
 - 2- Affirmation in support of Notice of Motion, Exhibits,
 - 3- Request for Certificate of Default,
 - 4- Writ of Error and Memorandum of Law
 - 5- Certificate of Default;
 - 6- Proposed Order;
 - 7- Entry Order of Default;
 - 8- File on Demand;
- by 9/22/18 it to :

DEFENDANT MICHAEL CIOROIU, 247 3rd Avenue, # L3, New York, New York, 10010.

I say here, and I will verify in open Court if necessary that all herein be true.
I will do My best, and God will do the rest. I Reserve ALL Natural God-Given
Indefeasible Birthrights, Waiving None, Ever UCC1-308, UCC 1-103.6.

Dated: 9/22/18, 2018



Elena Strujan- Petitioner, a common woman
Sui Juris, Under Duress, Attornatus Privatus.
P. O. Box 20632, New York, N. Y., [10075]
646-234-2421, estrujan2016@gmail.com

"SUB UMBRA ALARUM TAURUM"
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"THE LAW HAS ALWAYS BEEN ON YOUR SIDE- USE IT
TO BUILD A BETTER, STRONGER AMERICA"
I Women of Flesh and Blood, UCC 1-308, UCC 1-103.6
"OBEY THE CONSTITUTION"

NOTE: Wrote and printed from a Public computer and printer with all risks.

WITNESS: My hand and official seal. End of document.

*On the back the original certificate of
Mar.*





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